

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2009-173-S - ORDER NO. 2009-439

JUNE 26, 2009

|   |   |                    |
|---|---|--------------------|
| IN RE: Application of Palmetto Utilities,     | ) | ORDER APPROVING    |
| Incorporated for Approval of an Expansion     | ) | EXPANSION OF SEWER |
| of Its Existing Sewer Service Area to Include | ) | SERVICE AREA       |
| Certain Portions of Richland County           | ) |                    |
| Adjacent to Its Existing Service Area         | ) |                    |
|   | ) |                    |

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Application of Palmetto Utilities, Inc. (“PUI” or “the Company”) for approval of a proposed expansion of the Company’s sewer utility territory to serve portions of Richland County which are currently unserved. The areas for which the approval is sought include the portions of Richland County generally west of PUI’s currently assigned service territory and bounded on the west by U.S. Highway 321, on the south by County Roads 1282 and 1694, on the east by the western boundary of PUI’s currently authorized service territory, and on the north by the boundary of Richland and Fairfield Counties, and generally northeast of PUI’s currently assigned service territory and bounded on the east by Kershaw County, on the north by Fairfield County, on the west by the Town of Blythewood and the northern most portion of PUI’s currently authorized service territory and on the south by PUI’s currently authorized service territory. The Application is filed pursuant to S.C. Code Ann. Section 58-5-210 (1976) and 26 S.C. Code Ann. Regs. 103-504 (Supp. 2008). The Company requests that the

terms, conditions, rates and charges approved by this Commission for the Company's currently authorized sewer service territory also apply to the provision of sewer service in the proposed service area.

In support of its Application, PUI asserts that, among other things, the public interest will be served by an expansion of its sewer collection and transportation system, because the area for which such expansion is sought is not currently served by any public or governmental utility and no other service options exist. PUI requests expedited consideration and approval of the Application in the event that no intervention is filed, and the Office of Regulatory Staff ("ORS") does not oppose the Application.

ORS filed a letter dated June 12, 2009, which states that it has reviewed the above-docketed matter and has no objection to PUI's Application to expand its sewer service area. It notes that the proposed service area is not currently served by any public utility providing sewer service subject to the Commission's jurisdiction, and no governmental entity has sewer service facilities in the area. Additionally, ORS notes that Richland County has consented to PUI's provision of service in the proposed service area. Further, ORS asserts that adequate sewer capacity is available for these additional customers.

We would note that the Company has published a Notice of Filing of this Application in a newspaper of general circulation in the proposed new areas of sewer service, and has furnished proof of publication to this Commission. Copies of the Application were also provided to Richland County, and to the South Carolina

Department of Health and Environmental Control. No Protests or Petitions to Intervene have been filed in this matter.

The Company has requested expedited consideration and approval of the Application, in the event that no intervention was filed, and if ORS had no opposition. 26 S.C. Code Ann. Regs. 103-504 (Supp. 2008) states, among other things, that no existing public utility supplying wastewater disposal to the public shall extend its system without first obtaining a Certificate from this Commission that the public convenience and necessity requires the extension. Such Certificate shall be granted only, *inter alia*, after due hearing. In this case, we construe the weekly Commission agenda session on Wednesday, June 17, 2009 at which this matter was considered to be the “due hearing” required by the Regulation, and we expedite consideration of this matter, based on the written materials provided in the record.

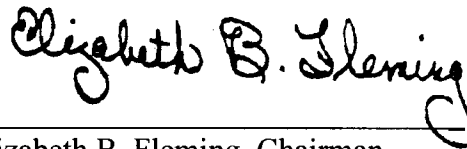
We grant the requisite Certificate, and approve the Application for expansion of territory as filed. We believe that the public convenience and necessity truly requires the extension of the PUI system as proposed. As pointed out by the parties, the proposed area is not currently served by any public utility providing sewer service subject to this Commission’s jurisdiction, and no governmental entity has sewer service facilities in the area. No other service options exist for the area. In addition, Richland County has consented to PUI’s provision of service in the proposed service area. Further, adequate sewer capacity is available for these additional customers.

We also hold that the terms, conditions, rates and charges approved by this Commission for the Company's currently authorized sewer service territory shall apply to the provision of sewer service in the new Company service area.

In sum, we hereby issue the requisite Certificate required under Regulation 103-504 by means of this Order, and we approve the Application for expansion of service territory as filed by the Company.

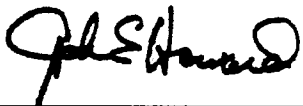
This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



Elizabeth B. Fleming, Chairman

ATTEST:



John E. Howard, Vice Chairman

(SEAL)